

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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James Ray Walker,

Plaintiff,

v.

Koehn, et al.,

Defendants.

Case No. 2:22-cv-02054-RFB-DJA

Order

Before the Court is Plaintiff's motion for a copy of the Local Rules (ECF No. 38) and motion to compel (ECF No. 39).

I. Motion for copy of local rules.

Plaintiff's motion states that he is "in need of this Court's Local Rules" and that he is without the funds to pay for copies himself. (ECF No. 38). Generally, a prisoner has no constitutional right to free photocopying or to obtain court documents without payment. *Bailey v. Williams*, No. 2:19-cv-01725-GMN-BNW, 2021 WL 682053, at *2 (D. Nev. Feb. 19, 2021) (citing *Johnson v. Moore*, 948 F.2d 517, 521 (9th Cir. 1991)). Plaintiff has not provided any explanation in his motion about difficulties he is facing in accessing the Local Rules, whether it is possible for him to access the Local Rules at the facility where he is currently residing, or which portions of the Local Rules he might need. The Local Rules are over 100 pages long, meaning that it is difficult for the Court to send a copy, even if it was inclined to send a courtesy copy. The Court will thus deny Plaintiff's motion in part and will grant it in part. It will grant it in part by sending Plaintiff a copy of the table of contents of the Local Rules and the Local Rules relevant to this order as a courtesy.

II. Motion to compel.

Plaintiff moves to compel Defendants Michael Koehn and Ted Hanf to "fully answer interrogatories," that Plaintiff served on November 11, 2023, explaining that Hanf returned his

1 answers while Koehn did not. (ECF No. 39 at 1). Plaintiff does not explain how Hanf's
2 responses were deficient. (*Id.*). Plaintiff also moves to compel Koehn and Hanf to produce
3 documents in response to requests for production that Plaintiff served on February 14, 2024. (*Id.*
4 at 2). Defendants respond and assert that Plaintiff did not meet and confer before moving to
5 compel. (ECF No. 40). Plaintiff did not reply.

6 The Court denies Plaintiff's motion to compel without prejudice as premature. While
7 Plaintiff suggests that Hanf's responses to interrogatories were incomplete, he does not explain
8 how, point out which interrogatories Hanf did not fully respond to, or provide the text of the
9 Hanf's responses as required in Local Rule 26-6(b). And while it appears that Koehn's responses
10 to Plaintiff's interrogatories were very late, it is unclear if this delay could have been resolved
11 through the parties meeting and conferring.¹ Because Plaintiff did not explain whether he met
12 and conferred with Defendants regarding these responses before bringing his motion as required
13 by Federal Rule of Civil Procedure 37(a)(1) and Local Rule 26-6(c), the Court denies his motion
14 regarding his interrogatories.

15 Plaintiff also brought his motion to compel regarding his requests for production before
16 Defendants' responses to those requests were due and without meeting and conferring before
17 bringing the motion. Plaintiff served his requests for production on February 14, 2024 but filed
18 his motion less than thirty days later, on February 28, 2024. *See* Fed. R. Civ. P. 34(b)(2)(A)
19 (explaining that the party to whom the request is directed must respond in writing within 30 days
20 after being served). The Court thus denies Plaintiff's motion regarding his requests for
21 production.

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24 ¹ Hanf's responses also appear to have been late, but neither party addresses this point.
25 Defendants assert that Hanf served his responses to Plaintiff's November 11, 2023 requests on
26 January 12, 2024. (ECF No. 40 at 3). Defendants do not explain whether they reached an
27 agreement with Plaintiff to provide these responses beyond the thirty-day deadline. *See* Fed. R.
28 Civ. P. 33(b)(2) (providing that a party responding to interrogatories must "serve its answers and
objections within 30 days after being served with the interrogatories."). However, because
neither side explains this delay, the Court does not address it further.

1 **IT IS THEREFORE ORDERED** that Plaintiff's motion for a copy of the Local Rules
2 (ECF No. 38) is **granted in part and denied in part**. It is denied in part regarding Plaintiff's
3 request for a copy of the entire Local Rules. It is granted in part because the Court will send
4 Plaintiff a courtesy copy of the table of contents of the Local Rules, Local Rule IA 1-3, and Local
5 Rule 26-6.

6 **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to send Plaintiff
7 the following:

- 8 1. A copy of the table of contents for the Local Rules of Practice for the United States
9 District Court, District of Nevada.
- 10 2. A copy of Local Rule IA 1-3.
- 11 3. A copy of Local Rule 26-6.

12 **IT IS FURTHER ORDERED** that Plaintiff's motion to compel (ECF No. 39) is **denied**
13 **without prejudice as premature**.

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15 DATED: March 25, 2024



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE